## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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**DECISION** 

## 1 4 MAR 2007

MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606

In re Application of MEYER et al

U.S. Application No.: 10/560,758

PCT Application No.: PCT/EP2004/006897

Int. Filing Date: 24 June 2004 :

Priority Date Claimed: 02 July 2003

Attorney Docket No.: 30882/41723

For: METHOD FOR PRODUCING A FIRE PROTECTION GLAZING

This is in response to applicant's "Response to Notification of Missing Requirements and Petition Under 37 C.F.R. § 1.47(a)" filed 06 November 2006 and "Response to Notification of Missing Requirements and Supplement to Petition Under 37 C.F.R. § 1.47(a)" filed 15 November 2006.

On 24 June 2004, applicant filed international application PCT/EP2004/006897, which claimed priority of an earlier European Patent Office application filed 02 July 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 13 January 2005. The thirty-month period for paying the basic national fee in the United States expired on 02 January 2006.

On 14 December 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 05 April 2006, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 06 November 2006, applicant filed a petition under 37 CFR 1.47(a) along with an executed declaration.

On 15 November 2006, applicant filed a supplemental petition under 37 CFR 1.47(a) along with an executed declaration.

Application Number: 10/560,758

In view of the declaration executed by the previously nonsigning inventor, the petition under 37 CFR 1.47(a) is <u>DISMISSED AS MOOT</u>.

The application has an International Filing Date under 35 U.S.C. 363 of 24 June 2004, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 15 November 2006.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

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